



033:GBC:147328

~~Section~~

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application :

Jay W. GRATE et al.

Application No. 09/944,816

Filed August 31, 2001

FLOW-CONTROLLED MAGNETIC  
PARTICLE MANIPULATION

)  
) Before the Examiner  
)  
)

)  
) Group Art Unit  
)  
)

)  
)  
) November 12, 2001

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION (FILING DATE GRANTED)**

Honorable Commissioner for Patents  
Washington, D. C. 20231

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application", dated October 10, 2001, Applicants enclose herewith the return copy of Formalities Letter OC000000006878887, the Declaration signed by Applicants, a Fee Transmittal Form and a check in the amount of \$65 to cover the small entity late filing fee surcharge. No additional fees are believed due. However, if any additional fees are deemed necessary, please charge such fees to Deposit Account 23-3030.

Respectfully submitted:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Honorable Commissioner for Patents, Washington, D.C. 20231 on

November 12, 2001

(Date of Deposit)

Gregory B. Coy

Name of Registered Representative

Signature

November 12, 2001

Date of Signature

Gregory B. Coy

Reg. No. 40,967

Woodard, Emhardt, Naughton Moriarty & McNett  
Bank One Center Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456 (telephone)

(317) 637-7561 (facsimile)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Serial No. 09/944,816

Attorney Docket No. 50005-50

Page 1 of 1

**FEE TRANSMITTABLE  
FOR FY 2001**

Patent fees are subject to annual adjustment. 10/31/2001

**Complete if Known**

Application Number	09/944,816
Filing Date	August 31, 2001
First Named Inventor	Jay W. Grate
Group Art Unit	
Examiner Name	
Attorney Docket Number	50005-50

Total Amount of Payment

(\$)

**METHOD OF PAYMENT**

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

23-3030

Woodard, Emhardt, Naughton, Moriarty &amp; McNett

- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27.

2. ☒ Payment Enclosed:☒ Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility Filing Fee	
106	330	206	165	Design Filing Fee	
107	510	207	255	Plant Filing Fee	
108	740	208	370	Reissue Filing Fee	
114	160	214	80	Provisional Filing Fee	
<b>SUBTOTAL (1)</b>					<b>(\$0)</b>

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee From Below	Fee Paid
-20** =		X	
Independent Claims -3** =		X	
Multiple Dependent			

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$0)

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other Fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 65)

**SUBMITTED BY**

Name (Print/Type)

Gregory B. Coy

Registration No.  
(Attorney/Agent)

40,967

Telephone

**Complete (if applicable)**

(317) 634-3456

Signature

Date

November 12, 2001

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 202031.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/944,816	08/31/2001	Jay W. Grate	50005-50

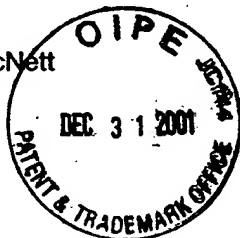
CONFIRMATION NO. 1380

## FORMALITIES LETTER



\*OC00000006878887\*

Gregory B. Coy  
Woodard, Emhardt, Naughton, Moriarty and McNett  
Bank One Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, IN 46204-5137



Date Mailed: 10/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

*Sadie*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/03/2002 BABRAWA1 00000018 09944816

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65.00 OP